

Y. Fukuhara et al.  
U.S. Serial No. 09/931,962  
Page 4 of 6

### **REMARKS**

Claims 1-8 are pending in the application. Claim 1 has been amended by the present amendment. The amendment is fully supported by the specification as originally filed (see, e.g., page 5, lines 10-12).

As amended, claim 1 recites "a single stationary camera which does not rotate" (emphasis added). One advantage of this feature, as described on page 34, lines 12-14 of the specification, is maintenance is substantially not required for long-term operation, which results in a highly reliable and stable operation.

Claims 1-6 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 6,226,035 to Korein et al. (hereinafter "Korein") in view of U.S. Patent 6,304,285 to Geng. Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Korein in view of Geng, and further in view of U.S. Patent 5,953,449 to Matsuda et al. Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Korein in view of Geng, and further in view of U.S. Patent 5,787,199 to Lee. These rejections are respectfully traversed.

The Korein reference does not teach or suggest a moving object tracking apparatus for detecting and tracking one or more moving objects in an environment, including a single stationary camera which does not rotate.

Korein discloses a system in which an image sensor or camera 20 is mounted on a ceiling but rotates in two axes in order to pan and tilt to the area of interest (see column 6, lines 50-51). As stated in column 6, lines 55-58 of Korein: "The image sensor 20 also has motors and controls that enable the image sensor to move laterally (pan) and move up and down (tilt), under electronic control."

Y. Fukuhara et al.  
U.S. Serial No. 09/931,962  
Page 5 of 6

On page 2 of the Office Action, it was asserted that the camera 20 in Korein is stationary because it is mounted on a ceiling (see "Response to Arguments" on page 2, middle of page). However, as disclosed in Korein, the camera 20 must move in order to pan to the area of interest. In order to achieve this movement, the image sensor/camera 20 of Korein is provided with motors and controls.

Therefore, Korcin does not teach or suggest "a single stationary camera which does not rotate," as recited in claim 1.

Geng discloses a hyperboloidal mirror for viewing an object within a hemispherical field of view from a single virtual point, and a CCD camera focused on the hyperboloidal mirror.

Even if the hyperboloidal mirror of Geng were somehow used in the imaging system of Korein, it would not be possible to obtain the apparatus recited in claim 1. A stationary, non-rotating camera used in Korein would not be capable of detecting or tracking one or more moving objects; instead, the camera of Korein must be able to pan and tilt for the system to function properly. Thus, to modify the system of Korcin with the mirror of Geng would render the device "unsuitable for its intended purpose" (see MPEP 2143.01).

Moreover, one of ordinary skill in the art would not have sufficient motivation to combine the CCD camera of Geng with the system of Korein, as such a proposed combination would defeat the purpose of the image sensor 20 in Korcin. Specifically, the image sensor 20 in Korein overcomes deficiencies of prior art stationary cameras (see column 1, lines 32-56). By specifically requiring the use of a moving camera, Korein teaches away from the use of a stationary camera.

For at least the reasons discussed above, the combination of Korcin in view of Geng does not teach or suggest the Applicants' claimed invention as recited in claim 1.

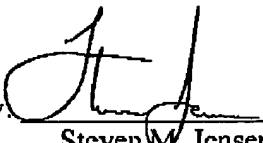
Y. Fukuhara et al.  
U.S. Serial No. 09/931,962  
Page 6 of 6

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

EDWARDS & ANGELL, LLP

Date: August 9, 2005

By   
Steven M. Jensen  
(Reg. No. 42,693)

P.O. Box 55874  
Boston, MA 02205

Phone: (617) 439-4444

Customer No. 21874